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PTO/SB/01 (12-97)

Approved for use through 9/30/00.OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration
Submitted
with Initial
Filing

OR

☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16(e))
required)

Attorney Docket Number

12636-304.201

First Named Inventor

Howard Sands

COMPLETE IF KNOWN

Application Number

10/698,983

Filing Date

October 31, 2003

Group Art Unit

1614

Examiner Name

Unassigned

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PHARMACEUTICAL FORMULATIONS TARGETING SPECIFIC
REGIONS OF THE GASTROINTESTINAL TRACT**

(Title of the Invention)

the specification of which

☐ is attached hereto
OR

☒ was filed on (MM/DD/YYYY)

10/31/2003

as United States Application Number or PCT International

Application Number 10/698,983 and was amended on (MM/DD/YYYY) ☐ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(h) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.
60/423,179	10/31/2002	

(Page 1 of 2)

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U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

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As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Customer Number 021971

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

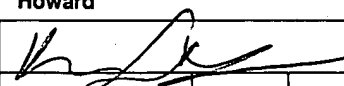
Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number or Bar Code Label 021971 OR ☐ Correspondence address below

Name	Shirley Chen, Ph.D.						
Address	Wilson Sonsini Goodrich & Rosati						
Address	650 Page Mill Road						
City	Palo Alto	State	CA	ZIP	94304		
Country	U.S.	Telephone	650-493-9300		Fax	650-493-6811	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))				Family Name or Surname			
Howard				Sands			
Inventor's Signature						Date	4/20/04
Residence: City	Wilmington	State	DE	Country	US	Citizenship	US
Post Office Address	2417 Landon Drive, Wilmington, DE 19810						
Post Office Address							
City	Wilmington	State	DE	ZIP	19810	Country	US

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto:

Please type a plus sign (+) inside this box

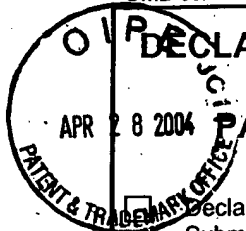


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Attorney Docket Number 12636-304.201

First Named Inventor Howard Sands

COMPLETE IF KNOWN

Application Number 10/698,983

Filing Date October 31, 2003

Group Art Unit 1614

Examiner Name Unassigned

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

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(Title of the Invention)

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Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Customer Number 021971 

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer
Number Bar
Code Label here

Name	Registration Number	Name	Registration Number

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Direct all correspondence to: ☒ Customer Number 021971 OR ☐ Correspondence address below

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Address	650 Page Mill Road						
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Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))				Family Name or Surname			
Howard				Sands			
Inventor's Signature						Date	
Residence: City	Wilmington	State	DE	Country	US	Citizenship	US
Post Office Address	2417 Landon Drive, Wilmington, DE 19810						
Post Office Address							
City	Wilmington	State	DE	ZIP	19810	Country	US

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PTO/SB/02A (3-97)

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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>1</u>
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Sanjeev				Redkar			
Inventor's Signature						Date	
Residence: City	Union City	State	CA	Country	US	Citizenship	US
Post Office Address	30723 Churchill Street, Union City, CA 94587						
Post Office Address							
City	Union City	State	CA	ZIP	94587	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Harish				Ravivarapu			
Inventor's Signature						Date	3/24/04
City	UNION CITY Pleasanton	State	CA	Country	US	Citizenship	IN
Post Office Address	1050 Serpentine Lane, Pleasanton, CA 94566 4605 DINUBA ST., UNION CITY						
Post Office Address	CA 94587						
City	Pleasanton	State	CA	ZIP	94566	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's Signature						Date	
City		State		Country		Citizenship	-
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

4/13/04
 RHB

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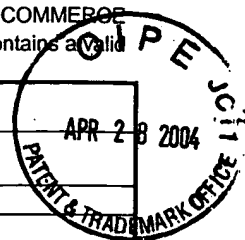


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	First Named Inventor	Howard Sands
	COMPLETE IF KNOWN	
	Application Number	10/698,983
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Examiner Name	Unassigned	

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OR

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Place Customer
Number Bar
Code Label here

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Address	Wilson Sonsini Goodrich & Rosati						
Address	650 Page Mill Road						
City	Palo Alto	State	CA	ZIP	94304		
Country	U.S.	Telephone	650-493-9300		Fax	650-493-6811	

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Howard				Sands			
Inventor's Signature						Date	
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Post Office Address							
City	Wilmington	State	DE	ZIP	19810	Country	US

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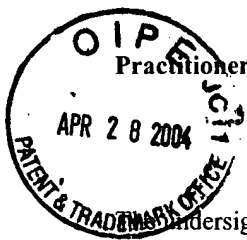
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle (if any))				Family Name or Surname				
Sanjeev				Redkar				
Inventor's Signature					Date		3/24/04	
Residence: City		Union City	State	CA	Country	US	Citizenship	
Post Office Address		30723 Churchill Street, Union City, CA 94587						
Post Office Address								
City		Union City	State	CA	ZIP	94587	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle (if any))				Family Name or Surname				
Harish				Ravivarapu				
Inventor's Signature					Date			
City		Pleasanton	State	CA	Country	US	Citizenship	
Post Office Address		1059 Serpentine Lane, Pleasanton, CA 94566						
Post Office Address								
City		Pleasanton	State	CA	ZIP	94566	Country	US
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**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR
UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS**

Undersigned ASSIGNEE of the entire interest in:

- ☐ U.S. Patent No.
☒ U.S. application no. 10/698,983, filed on October 31, 2003

hereby appoints the following attorneys of Wilson Sonsini Goodrich & Rosati:

Attorney Name	Reg. No.	Attorney Name	Reg. No.
Vern Norviel	32,483	Scott Morris	43,818
James Shay	32,062	Maya Skubatch	52,505
Michael Barclay	32,553	Nicole Fortuné	52,905
Michael Murphy	37,404	Shirley Chen	44,608
U.P. Peter Eng	39,666	Julie Holloway	44,769
George Willman	41,378	Kevin Sin	43,110
Anie Roche	50,512	Michael Panepucci	37,203
Benjamin Glenn	44,173	Jeffrey P. Bernhardt	54,997

and all Wilson Sonsini Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

- ☒ a copy of an Assignment attached hereto, which Assignment the Application has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or
- ☐ the Assignment recorded on ___ at reel ___, frames ___-___.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to:

Name	Shirley Chen, Ph.D.					
Address	Wilson Sonsini Goodrich and Rosati					
Address	650 Page Mill Road					
City	Palo Alto	State	CA	Zip	94304	Customer No.: 021971
Country	USA	Telephone	(650) 493-9300	Fax	(650) 493-6811	

ASSIGNEE: SUPERGEN, INC.

Name: EDWARD L JACOBS
PrintSignature [Signature]Title: CCODate: 4/26/04